

# Decision Notification

## Application Details

Licence No.	57104261
Licence Class	On Premises
LGO Reference	L03234
Application no.	204112
Premises Name	BEYOND BOULDERING PTY LTD
Premises Address	7 Grenfell Street KENT TOWN SA 5067
Applicant	BEYOND BOULDERING PTY. LTD.
Application Type	Application for a Liquor Licence

## Outcome

Decision	Granted
Effective Date	07 Dec 2020

## Requirements

The following requirements in support of the application have been satisfied:

- Landlord's consent has been obtained
- The application has been advertised
- All approvals, consents or exemptions have been obtained

## People

### Position of Authority

The following persons are approved to occupy any position of authority in the entity holding the licence and to receive proceeds of the business conducted under the licence:

- Andrew Beckworth (164433)
- Paul Owen Kinnane (164434)
- Justin Mark Taylor (164435)
- Lucinda Watson (164430)

## Community Impact Assessment

The application is a designated application for the purposes of section 53A of the Act.  
I am satisfied that the granting of this application is in the community interest.

## Premises

### New Premises

The licensed area is outlined in red on the approved plan.

### Capacity

The capacity of the venue is set at 80.

## Trading hours

The following are the approved trading hours

	Consumption on premises	Consumption off premises
Monday	Midday to 10:00 pm	-
Tuesday	Midday to 10:00 pm	-
Wednesday	Midday to 10:00 pm	-
Thursday	Midday to 10:00 pm	-
Friday	Midday to 10:00 pm	-
Saturday	Midday to 10:00 pm	-
Sunday	Midday to 8:00 pm	-

## Reasons for Decision

In reaching my determination, I have had regard to the objects of the *Liquor Licensing Act 1997*.

This application may only be granted if the licensing authority is satisfied that the grant of the application is in the community interest. In determining this application under section 53A(2) of the *Liquor Licensing Act 1997* (the Act), I must have regard to:

- the harm that might be caused (whether to a community as a whole or a group within community) due to the excessive or inappropriate consumption of liquor;
- the cultural, recreational, employment or tourism impacts; and
- the social impact in, and the impact of the amenity of, the locality of the premises or proposed premises; and
- the nature of the business conducted or to be conducted under the licence (as prescribed)

I must also apply the community impact assessment which states, “*The onus is on the applicant to satisfy the licensing authority that the grant of the application is in the community interest and to provide relevant evidence and submissions to discharge this onus.*”

As part of the application the applicant has submitted a completed Community Impact Assessment Form as their community impact submission. It is the content of this form, the application itself and supporting material that my decision will be based on.

### Nature of the business

The nature of the business is an existing recreation centre providing ‘bouldering’ facilities, for climbers of all levels to play and train together. Bouldering is a form of rock climbing on artificial rock walls without the use of ropes or harnesses.

Beyond Bouldering has the largest indoor bouldering facilities in South Australia, including 4.5 metre high walls and over 1000 ‘climbing holds’

The main activity at the venue is climbing and socialising, the applicant is seeking to add a small range of alcoholic beverages, such as cans of beer, gin and cider to its existing café. The applicant has confirmed that liquor will only be available in the café area following the bouldering session, there is no consumption before or during any session and liquor is not to be taken into the climbing area.

No entertainment nor accommodation is to be provided.

The applicant has indicated that there is support for its proposal from its existing customer base, many have indicated that they usually 'have a beer or 2' after a climb, and would prefer to be able to have a drink at the venue than have to go elsewhere.

#### Potential harm

The applicant has not identified any at risk or vulnerable groups in the community and is of the view that the grant of its licence will not impact on any vulnerable groups as the liquor is available on consumption on premises only.

The applicant has not specified any particular harm minimisation strategies other than to confirm that all staff will have undertaken the requisite RSA training and a responsible person will always be on duty.

#### Cultural, recreational, employment or tourism impacts

According to the submissions made the venue provides a welcoming atmosphere where people from all cultures should feel comfortable enjoying the facilities. The staff members are also of multicultural backgrounds.

The applicant has indicated that there will be additional employment opportunities at the Kent Town location, however has not specified the number of additional positions, nor whether they will be on a full time or part time basis. It is expected that the business itself will continue to expand and provide more employment opportunities in the future.

#### Social impact and impact on the amenity of the community

The venue itself is a recreational facility, and provides the benefit of bringing people together socially and exercising. There are also a number of social events, competitions and charity functions held on site to further encourage social interaction.

The applicant has stated that bouldering is to become an Olympic sport, this may provide a greater tourism impact as regular state competitions already encourage people from all over Australia to come to Adelaide to compete for the title.

It has been suggested that the venue's recent refurbishment will have a positive impact on the amenity of the community. The interior was recently 'fitted out' and the acoustic measures in place should minimise noise and disturbance to local residents.

#### Decision

This is an application for a sporting and recreation facility where the sale and supply of liquor is ancillary to the main activity of bouldering (a type of rock climbing).

The grant of this application will allow those who participate in the activity of 'bouldering' to continue socialising at the premises following their session and consume liquor with friends.

It will create employment opportunities and support the local economy as well as encourage social interaction in a safe environment, following a recreational activity.

It is of some concern that the applicant has not provided detailed policies and procedure in respect of harm minimisation and vulnerable groups. However, I accept that the nature of the business suggests that the grant of this licence would have a minimal impact on vulnerable groups in the locality.

The onus is on the applicant to satisfy the authority that the grant of the application is in the community interest. On the basis of the information provided, together with the application, I am satisfied that the grant of this application is in the community interest.

Accordingly, under section 53A(1) of the Act, I grant the application, and consider that it is in the public interest to impose the following conditions:

1. Liquor may only be sold or supplied to persons who are not participating in bouldering, or who have completed their involvement in bouldering.
2. The licensee must erect signage on the perimeter of the licensed area stating “liquor must not be taken beyond this point”. This signage is to be clearly visible and unobstructed.

## Under Delegation from the Liquor and Gambling Commissioner



Vicki Brunello  
Hearings Delegate  
07 Dec 2020